

Remarks

The Examiner is again respectfully requested to list Oshima (US 5,761,301) on a form PTO-892 with the next Office Action in order to properly make the reference of record in the present application as is outline in M.P.E.P §707.05(e).

Claims 1-4 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Yamada (US 6,141,483) in view of Shim (US 6,608,804). Claim 5 has been rejected under 35 U.S.C. §102(e) as being anticipated by Yamada.

Claims 6-13 have been allowed. The Applicants would like to thank the Examiner for this indication of allowable subject matter.

The rejections of claims 1-5 are respectfully traversed and submitted to be inapplicable for the following reasons.

Claim 1 is patentable over the combination of Yamada and Shim, since claim 1 recites an information recording disc having a burst cutting area (BCA) for recording control information for a reproduction apparatus, wherein the burst cutting area includes at least one BCA control information area and the BCA control information area comprises an application identifier area for identifying applications of control data, a data length area for indicating data length of the control data, and an application specific data area for recording the control data. The combination of Yamada and Shim fails to disclose or suggest a BCA control information area including an application identifier, a data length area and an application specific data area, as recited in claim 1.

Yamada discloses a recording medium 1 that has a lead-in area 22, a data area/rewritable data zone 23, a lead-out area 24, and an outer peripheral edge 25. The data area/rewritable data zone 23 is made up of an area where data is recorded and a data area/rewritable data zone. The lead-in area 22 is made up of a reference signal portion 26 where a reference code is recorded, a control data portion 27, and an erasable portion 28. At the erasable data portion 28, data is recorded by the manufacturer upon manufacturing of the recording medium 1. The control portion 27 contains data about manufacture, including a manufacturer date, a region code, and a user name or user organization name given special permission. Also, the control portion 27

contains physical format data about the recording conditions such as a recording linear speed, reproduction power, recording power, and recording pulse width. The erasable data portion 28 is made up of an authentication portion, a data description portion about a data alteration area, and a test recording portion. Further, the lead-out area 24 is made up of an authentication portion, a data description portion, and a test recording portion. (See column 7, lines 31-61 and Figure 3).

It is noted that the rejection of claim 1 admits that Yamada fails to disclose or suggest a BCA control information area and also fails to disclose or suggest a data length area. However, it is apparent that Yamada also fails to disclose or suggest a control information area including an application identifier and an application specific data area for recording the control data, as recited in claim 1.

The reference signal portion 26 has the reference code recorded therein and the erasable data portion 28 has the authentication portion, the data description portion and the test recording portion. However, Yamada fails to disclose or suggest that either the reference signal portion 26 or the erasable data portion 28 include a control information area including an application identifier or an application specific data area for recording control data. Further, while the control data portion 27 contains the physical format data about recording conditions, such as the recording linear speed, the reproduction power, the recording power and the recording pulse width, and data about manufacture, such as the manufacturing date of the recording medium 1, the region code and the user name of a person or organization that is given special permission, the control data portion 28 also fails to disclose or suggest the inclusion of a control information area including an application identifier or an application specific data area for recording control data.

In the combination, Shim is relied upon as disclosing a BCA control information area including a data length area. Shim discloses a BCA code structure including a BCA preamble 200, BCA information data I_{BCA} 202, an error detecting code EDC_{BCA} 204, a disk code I_{DDT} 210, an error detecting code EDC_{DDT} 214, and a BCA postamble 208. (See column 4, line 53 - column 5, line 8 and Figures 2 and 3). However, it is apparent that Shim fails to disclose or suggest that the BCA includes a data length area as suggested in the rejection, since there is no disclosure in

Shim that corresponds to the data length area. If this rejection is maintained, it is respectfully requested that the specific location in Shim where the data length area is disclosed be identified.

Further, it is apparent that Shim also fails to disclose or suggest a control information area including an application identifier and an application specific data area for recording the control data, as recited in claim 1. As a result, the combination of Yamada and Shim fails to disclose or suggest the present invention as recited in claim 1.

Claim 5 is patentable over Yamada, since claim 5 recites an information recording disc having, in part, a lead in area for recording control information, wherein the lead-in area has recorded therein a unique identifier indicative of a disc for initializing regional control information for restricting a region enabling reproduction of user data. Yamada fails to disclose or suggest a lead-in area having a unique identifier, as recited in claim 5.

As discussed above with regard to claim 1, Yamada discloses a recording medium 1 having a lead-in area 22 that includes a reference signal portion 26, a control data portion 27 and an erasable data portion 28. The reference signal portion 26 has a reference code recorded therein. The erasable data portion 28 has an authentication portion, a data description portion and a test recording portion. The control data portion 27 contains data about manufacture, such as the manufacturing date of the recording medium 1, a region code and a user name of a person or organization that is given special permission. The control data portion 27 also contains physical format data about recording conditions, such as recording linear speed, reproduction power, recording power and recording pulse width. (See column 7, lines 31-61 and Figure 3).

Based on the above discussion, it is apparent that none of the sections of the lead-in area 22 is disclosed or suggested as having a unique identifier indicative of a disc for initializing regional control information for restricting a region enabling reproduction of user data. The reference signal portion 26 has the reference code recorded therein and the erasable data portion 28 has the authentication portion, the data description portion and the test recording portion. However, Yamada fails to disclose or suggest that the reference code is a unique identifier indicative of a disc for initializing regional control information and also fails to disclose or suggest that any of the areas of the erasable data portion 28 contain a unique identifier, as recited

in claim 5. The control data portion 27 contains the physical format data about recording conditions, such as the recording linear speed, the reproduction power, the recording power and the recording pulse width, none of which contain the unique identifier as described above. In addition, the control data portion 27 contains data about manufacture, such as the manufacturing date of the recording medium 1, a region code and a user name of a person or organization that is given special permission. While the control data portion does contain the region code and the user name of a person or organization who is given special permission regarding the use of recording medium 1, none of this data is a unique identifier indicative of a disc for initializing regional control information.

As a result, Yamada fails to disclose or suggest the present invention as recited in claim 5.

Because of the above mentioned distinctions, it is believed clear that claims 1-13 are allowable over the references relied upon in the rejections. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of invention would not have been motivated to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in claims 1-13. Therefore, it is submitted that claims 1-13 are clearly allowable over the prior art of record.

In view of the above remarks, it is submitted that the present application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

Hiroshi UEDA et al.

By: David M. Ovedovitz
David M. Ovedovitz
Registration No. 45,336
Attorney for Applicants

DMO/jmj
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
January 6, 2004

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.